

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JOHN D. SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:20-cv-00393-JPH-DML
	)	
ARAMARK CORPORATION, et al.	)	
	)	
Defendants.	)	

**Order Denying Motion to Appoint Counsel**

The plaintiff's motion to appoint counsel, dkt. [22], is **denied**. The Court is currently attempting to perfect service on one remaining defendant and is awaiting responses to the plaintiff's complaint. Because this case is in the early stages of litigation, it is difficult for the Court to gauge the plaintiff's need for the assistance of counsel. *Kadamovas v. Stevens*, 706 F.3d 843, 845 (7th Cir. 2013) (noting difficulty of gauging plaintiff's need for assistance from counsel prior to receiving defendants' response to the complaint); *see also Olson v. Morgan*, 750 F.3d 708, 712 (7th Cir. 2014) (deciding whether to recruit counsel requires the court to consider "whether the difficulty of the case—factually and legally—exceeds the particular plaintiff's capacity as a layperson to coherently present it to the judge or jury himself."). While *Kadamovas* did not create a "bright-line rule[ ]," in this case plaintiff has not shown a need for counsel to assist him in amending his complaint, or to "investigate and flesh out any claim that may exist." *Mapes v. Indiana*, 932 F.3d 968, 971-72 (7th Cir. 2019).

If the plaintiff chooses to renew his motion, he should use the form motion the Court has prepared for indigent litigants seeking the appointment of counsel. The **clerk is directed** to include a blank form Motion for Assistance with Recruiting Counsel with the plaintiff's copy of this Order.

**SO ORDERED.**

Date: 5/14/2020

James Patrick Hanlon

James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

Distribution:

JOHN D. SMITH  
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PENDLETON - CF  
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